



JUDICIAL COUNCIL OF CALIFORNIA

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TRIAL COURT FACILITY MODIFICATION
ADVISORY COMMITTEE

TRIAL COURT FACILITY MODIFICATION ADVISORY COMMITTEE

MINUTES OF OPEN SESSION OF MEETING

February 3, 2023

10:00 AM - 1:50 PM

Judicial Council of California – Sacramento Office / Videocast for Public Access

Advisory Body Members Present: Hon. Donald Cole Byrd, Chair
Hon. William F. Highberger, Vice-Chair
Hon. John B. Ellis
Hon. Jennifer K. Rockwell
Mr. Jarrod Orr
Mr. Darrel E. Parker
Ms. Nocona Soboleski

Advisory Body Members Absent: Hon. Brad R. Hill
Hon. Patricia M. Lucas
Hon. Vanessa W. Vallarta

Staff Present: The following Judicial Council staff were present:

Mr. John Wordlaw, Chief Administrative Officer, Executive Office
Mr. Cory Jaspersen, Director, Governmental Affairs
Ms. Pella McCormick, Director, Facilities Services
Mr. Tamer Ahmed, Deputy Director, Facilities Services
Mr. Michael Sablich, Principal Manager, Facilities Services
Mr. Jagan Singh, Principal Manager, Facilities Services
Ms. Maria Atayde-Scholz, Manager, Facilities Services
Ms. Mary Bustamante, Manager, Facilities Services
Ms. Mimi Chung, Manager, Facilities Services
Ms. Nanci Connelly, Manager, Facilities Services
Mr. Andre Navarro, Manager, Facilities Services
Ms. Peggy Symons, Manager, Facilities Services
Mr. Ed Ellestad, Supervisor, Facilities Services
Mr. Paul Fitzgerald, Supervisor, Facilities Services
Ms. Donna Jorgensen, Supervisor, Facilities Services
Mr. Chris Magnusson, Supervisor, Facilities Services
Mr. Glenn Mantoani, Supervisor, Facilities Services
Mr. Steve Shelley, Supervisor, Facilities Services
Mr. Randy Swan, Supervisor, Facilities Services
Mr. Paul Terry, Supervisor, Facilities Services
Mr. Patrick Treanor, Supervisor, Facilities Services
Mr. Guillermo Urena, Supervisor, Facilities Services
Mr. Doug Walthour, Supervisor, Facilities Services
Ms. Kate Albertus, Facilities Analyst, Facilities Services
Ms. Sadie Varela, Facilities Analyst, Facilities Services
Ms. Mary Li, Associate Analyst, Facilities Services
Ms. Akilah Robinson, Associate Analyst, Facilities Services
Ms. Donna Newman, Supervisor, Budget Services
Mr. Javier Camacho, Senior Fiscal Analyst, Budget Services
Ms. Becky Porter, Senior Fiscal Analyst, Budget Services
Ms. Kristin Kerr, Supervising Attorney, Legal Services
Ms. Morgan Lardizabal, Legislative Advocate, Governmental Affairs
Ms. Rose Livingston, Senior Analyst, Executive Office

OPEN SESSION OF MEETING

Call to Order, Opening Remarks, and Roll Call

The chair called the open session of the meeting to order at 10:03 AM, roll was taken, and opening remarks were made.

Approval of Minutes

The advisory committee voted to approve the open session minutes of its meeting held on December 5, 2022. (*Motion: Rockwell; Second: Highberger*)

PUBLIC WRITTEN COMMENTS

No public comments were received.

DIRECTOR'S REPORT

The committee received the following updates:

1. Governor's 2023–24 Proposed Budget:

The Governor's 2023–24 Proposed Budget includes the following:

- \$5.97 million in ongoing funding for operation and maintenance (O&M) of nine new capital projects including the Siskiyou and Tuolumne courthouses, which opened in 2021, and new courthouses for the Glenn, Imperial, Sacramento, Shasta, Sonoma, Riverside-Indio, and Riverside-Menifee superior courts scheduled to open in 2023–24;
- \$49.5 million reduction—from \$188 to \$138.5 million—in funding for DMF-4 projects approved in the 2021 Budget Act; and
- Capital Outlay funding for continuing projects for the Monterey and San Bernardino superior courts and new projects in Nevada County and Sixth District Court of Appeal.

2. Utility Costs:

- Utility costs, including costs for electricity, gas, water, sewer, trash, and recycling, have risen nearly 15 percent over the last year and are projected to total \$82 million in 2023–24, with a budget shortfall of approximately \$11.5 million.
- To bridge the gap, approximately \$1.8 million in budget savings will shift from rent expenses to utilities, and \$9.7 million in preventive maintenance work will be postponed. Staff will continue to monitor and make budget adjustments as the year progresses.

3. Shared Cost Letters to be Rescinded:

- Due to the reduction in funding for DMF-4 projects, several shared cost letters will be rescinded, and the counties will be notified the projects will no longer proceed.

4. Storm Damage:

- The deferred maintenance investments in roofs over the past few years have paid dividends, as the portfolio has withstood atmospheric rivers and high wind events with only minor damage. Minor water leaks occurred and a few fallen trees and limbs but no large-scale damage or roof failures.

OPEN SESSION - ACTION ITEMS (ITEMS 1-8)

Action Item 1 – List A – Emergency Facility Modification Funding (Priority 1)

The committee approved 163 projects for a total of \$2,637,289 to be paid from facility modification (FM) program funds previously encumbered for Priority 1 projects.

(Motion: Ellis; Second: Orr)

Action Item 2 – List B – Facility Modifications Under \$100K (Priority 2)

The committee approved 96 projects for a total of \$1,008,841 to be paid from FM program funds previously encumbered for Priority 2 projects under \$100K.

(Motion: Highberger; Second: Ellis)

Action Item 3 – List C – Facility Modification Cost Increases Over \$50K

The committee approved cost increases over \$50K for four projects for a total of \$347,672 to be paid from FM program funds. *(Motion: Rockwell; Second: Ellis)*

Action Item 4 – List D – Facility Modifications Over \$100K (Priority 2)

The committee approved two Priority 2 FMs over \$100K for a total cost to the FM program budget of \$297,270. *(Motion: Highberger; Second: Orr)*

Action Item 5 – 2023 Draft Trial Court Facility Modification Advisory Committee Annual Agenda

The committee approved the draft 2023 *Trial Court Facility Modification Advisory Committee Annual Agenda*. *(Motion: Highberger; Second: Rockwell)*

Action Item 6 – Trial Court Facility Modifications Report for Quarter 2 of Fiscal Year 2022–23

The committee approved the draft *Trial Court Facility Modifications Report for Quarter 2 of Fiscal Year 2022–23* for submission to the Judicial Council as an Information-Only item.

(Motion: Rockwell; Second: Orr)

Action Item 7 – Fiscal Year 2024–25 Budget Change Concepts

The committee approved the following 2024–25 Budget Change Concepts for consideration by the Judicial Branch Budget Committee and Judicial Council:

- Stanislaus New Modesto Courthouse O&M: \$3.5 million ongoing funding;
- Trial Court Facilities O&M: Increase to \$100 million ongoing funding;
- FM Program: \$35 million increase (\$65 million to \$100 million) in ongoing funding;
- Trial Court Deferred Maintenance: \$100 million ongoing funding;
- Arch Flash Program (for high voltage electric switchgear worker safety compliance): \$3 million for three years for a total of \$9 million; and
- Sustainability Program: \$15 million for three years for water conservation measures for a total of \$45 million, and \$25 million for three years for energy retrofits for a total of \$75 million.

(Motion: Ellis; Second: Rockwell)

Action Item 8 – Judicial Council Parking Program – Rate Changes

The committee approved the following changes to the daily and monthly parking rates of the Judicial Council Parking Program:

- 1) Changed existing hourly/daily mixed rates to daily flat rates;
- 2) Increased existing daily flat rates by \$1 dollar per day; and
- 3) Increased existing monthly rates by \$5 dollars per month.

(Motion: Highberger; Second: Parker)

OPEN SESSION - DISCUSSION ITEMS (ITEMS 1–6) (NO ACTION REQUIRED)

Discussion Item 1 – List E – Court-Funded Requests (CFRs)

The committee reviewed 25 CFRs (all Facility Modifications) that were approved by the Facilities Services Director since the last committee meeting. No CFRs were cancelled during this reporting period.

Discussion Item 2 – List F – Funded Facility Modifications on Hold

The committee reviewed the list of previously funded FMs on hold.

Discussion Item 3 – Trial Court Real Estate Portfolio Expense and Revenue Forecast for Fiscal Year 2022–23

The committee received an update on the Trial Court Real Estate Portfolio Expense and Revenue Forecast for Fiscal Year 2022–23.

Discussion Item 4 – Facilities Maintenance Performance Report

The committee received a report on facilities maintenance performance.

Discussion Item 5 – In-Custody Vandalism – Updated Five-Year Analysis

The committee received an update on the five-year analysis of in-custody vandalism.

Discussion Item 6 – Court Facilities Trust Fund (CFTF) Fund Status

The committee received an update on the status of the CFTF.

**OPEN SESSION – INFORMATION-ONLY ITEMS (ITEMS 1–5)
(NO ACTION REQUIRED)**

Information Item 1 – FY 2021–22 Annual Report to Legislature of Court Facilities Trust Fund Expenditures

The committee received the FY 2021–22 annual report to the Legislature of CFTF expenditures.

Information Item 2 – Deferred Maintenance Funding - DMF-2 Projects Update

The committee received an update on the status of DMF-2 projects funded by a one-time General Fund allocation in July 2018 of \$50 million (\$5 million for facility assessments and \$45 million for roof, BAS, elevator, and HVAC projects).

Information Item 3 – Deferred Maintenance Funding - DMF-3 Projects Update

The committee received an update on the status of DMF-3 projects funded by a one-time General Fund allocation in July 2019 of \$15 million for fire alarm system projects.

Information Item 4 – Deferred Maintenance Funding - DMF-4 Projects Update

The committee received an update on the status of DMF-4 projects funded by a one-time General Fund allocation in July 2021 of \$180 million for HVAC, roof, elevator, electrical, and fire protection projects. Staff noted that, due to a reduction of DMF-4 funding in the Governor’s 2023-24 Proposed Budget, some DMF-4 projects may not proceed, and that additional information will be provided to the committee at a future meeting.

Information Item 5 – Architectural Revolving Fund Projects Update

The committee received an update on the status of FMs in the Architectural Revolving Fund.

ADJOURNMENT TO CLOSED SESSION AND ADJOURNMENT

There being no further open session business, the open session of the meeting was adjourned at 1:50 PM, and the advisory committee moved to the closed session of the meeting. The closed session of the meeting—which was closed to the public for discussion of security-related items (per Cal. Rules of Court, Rule 10.75(d))—was adjourned at 2:09 PM.

Approved by the advisory body on March 10, 2023.